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RUEHBJ/AMEMBASSY BEIJING 1879  
RUEHRL/AMEMBASSY BERLIN 1817  
RUEHIL/AMEMBASSY ISLAMABAD 1940  
RUEHBUL/AMEMBASSY KABUL 1902  
RUEHNE/AMEMBASSY NEW DELHI 1931  
RUEKJCS/SECDEF WASHINGTON DC  
RUEHVEN/USMISSION USOSCE 1860  
RUCNDT/USMISSION USUN NEW YORK 1388  
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SUBJECT: IRPT MEMBER CONVICTED, FREEDOM OF SPEECH VIOLATED

CLASSIFIED BY: Tracey Jacobson, Ambassador, U.S. Embassy  
Dushanbe, STATE.  
REASON: 1.4 (b), (d)

11. (C) SUMMARY: A city court convicted Mukhtorjon Shodiev, an Islamic Renaissance Party of Tajikistan (IRPT) member, December 6 of inciting violence and calling for an overthrow of the government in remarks he gave in front a small, private audience. He was sentenced to nine months in prison. Evidence points to a politically-motivated trial aimed at curbing IRPT activity in the Khujand area. The IRPT will help Shodiev launch his appeal. END SUMMARY.

12. (C) The Khujand City Court sentenced Mukhtorjon Shodiev to nine months in prison for allegedly calling others to jihad with intent to incite violence. However, IRPT contacts argue the actual facts do not indicate jihad was Shodiev's goal. The controversial words in Shodiev's remarks, documented in his indictment, were: "Let all people be Mujahiddin of Islam and let there be peace in Iraq, Palestine, Kashmir, Bosnia and Chechnya." Shodiev and six other IRPT members assembled in April for a private, informal picnic retreat in the mountains. One among the party was Anton Evsin, an ethnic Russian who secretly recorded Shodiev's remarks using a mobile telephone.

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Ministry of Security officials "found" the recording on Evsin's phone in June and used it as evidence to arrest Shodiev. Evsin is presently in Russia.

13. (C) In private, the judge presiding over the case, Absuvosit Ashurov, confided to Embassy sources that he does not believe Shodiev's words amount to Islamic extremism, and openly said he believes Shodiev is not guilty. Religious scholars and linguists also advised Ashurov that Shodiev's words were not a call for violence or illegal activity. Ashurov added that he did not believe Shodiev intended to propagate violence because the words were spoken in front of a small, private audience. Despite Ashurov's personal opinion and the scholars' conclusions, Ashurov convicted Shodiev and sentenced him to nine

months in prison. Because Shodiev was arrested in June, he has already served almost six months that will count toward his sentence.

¶4. (C) Members of the Khujand IRPT chapter also determined the case was politically motivated. The chapter is active, with Shodiev being an especially involved member, and enjoys a following by young people. Due to insufficient evidence and thanks to the persistent work of Shodiev's defense lawyer, the trial was stopped twice. However, as the trial wore on, the lawyer became increasingly silent during proceedings. IRPT members suspect the lawyer faced pressure from government officials.

¶5. (C) COMMENT: Shodiev's arrest and imprisonment is a bad sign that the Tajik government only marginally tolerates the existence of the Islamic Party of Tajikistan. Although sources would not indicate who might be behind the arrest, the tactics used are a classic Soviet trap and likely encouraged by the security services and the government to quiet IRPT activity. The government views the IPRT as a threat, particularly in the northern Sughd region, closely linked to the populous Ferghana Valley. Government officials openly talk about their concerted effort to curb religious extremism, but this is frequently a pretext to suppress IRPT political activity. This particular arrest violates freedom of speech as well as freedom of religion nominally protected by the Tajik Constitution. This is not the first, and most likely will not be the last, IPRT arrest. END COMMENT.

JACOBSON